

SENATE BILL 3148

By Black

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 39, Part 2, relative to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-39-202, is amended by adding the following new subdivision to subdivision (17):

( ) Bestiality, under § 39-14-214;

SECTION 2. Tennessee Code Annotated, Section 40-39-210, is amended by deleting the section in its entirety and substituting instead the following:

Upon receipt of notice of the death, of a registered offender, the TBI shall remove all data pertaining to the deceased offender from the SOR. Prior to removing the offender from the SOR, the TBI must verify the notice of death by obtaining a copy of the offender's certificate of death.

SECTION 3. Tennessee Code Annotated, Section 40-39-207, is amended by adding the following new subsection (h):

(h)

(1)

(A) If a person convicted of an offense was not required to register as an offender prior to August 1, 2007, because such person was convicted, discharged from parole or probation supervision, or discharged from incarceration without supervision prior to January 1, 1995, for an offense now classified as a sexual offense, such person may file a request for termination of registration requirements with TBI headquarters

in Nashville, no sooner than five (5) years from August 1, 2007, or the date the person first registered with the SOR, whichever date is later.

(B) The procedure, criteria for removal and other requirements of this section shall otherwise apply to an offender subject to removal after five (5) years as specified in subdivision (h)(1)(A).

(2) If a person convicted of an offense was not required to register as an offender prior to August 1, 2007, because such person was convicted, discharged from parole or probation supervision, or discharged from incarceration without supervision prior to January 1, 1995, for an offense now classified as a violent sexual offense, such person shall continue to comply with the registration, verification, and tracking requirements for the life of that offender.

SECTION 4. Tennessee Code Annotated, Section 40-39-202, is amended by deleting subdivision (12) and substituting instead the following:

(12) "Registering agency" means a sheriff's office, municipal police department, metropolitan police department, campus law enforcement agency, the TDOC, a private contractor with the TDOC, a local community corrections advisory board, or the board;

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.